

3-19-03

\$ RCE 1600



PTO/SB/30 (10-91)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

#26

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/009,802
Filing Date	January 20, 1998
First Named Inventor	Sean A. McCarthy
Group Art Unit	1636
Examiner Name	Guzo, D.
Attorney Docket No.	MNI-108RCE

RECEIVED
MAR 21 2003
TECH CENTER 60012900

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Request for Three Month Extension of Time

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	DeAnn F. Smith, Esq.	Registration No. (Attorney/Agent)	36,683
Signature	<i>DeAnn F. Smith</i>	Date	March 17, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 941 614 776 US in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: March 17, 2003
Signature: *Viriato G. Cardoso* (Viriato G. Cardoso)



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.

LISA M. DIROCCO
HATHAWAY P. RUSSELL *
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUIHOON LEE **

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT
JEANNE M. DIGIORGIO
CYNTHIA L. KANIK, Ph.D.

PATENT AGENTS
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
JONATHAN M. SPARKS, Ph.D.

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
JACOB G. WEINTRAUB
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.

* Admitted in TX only
** Admitted in CT only

March 17, 2003

Commissioner for Patents
Boc RCE
Washington, DC 20231

Re: U.S. Patent Application Serial No. 09/009,802
Filed: January 20, 1998
Title: NOVEL CRSP-2 PROTEIN MOLECULES AND USES THEREFOR
Inventor: Sean A. McCarthy
Our Ref.: MNI-108RCE

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Final Office Action;
2. Request for Three-Month Extension of Time;
3. Request for Continued Examination (RCE); and
4. Pre-paid Acknowledgment Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *For this purpose, a duplicate of this sheet is enclosed.*

"Express Mail" Mailing Label Number EL 941 614 776

I hereby certify that this correspondence is deposited with the United States Postal Service Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231 on:

March 17, 2003

Date

Viriato G. Cardoso
Viriato G. Cardoso

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

DeAnn F. Smith
DeAnn F. Smith, Esq.
Registration No. 36,683
Attorney for Applicant

RECEIVED
MAR 21 2003
TECH CENTER 1600/2805